

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

MAY 27 1997

PATRICK FISHER
Clerk

CLINTON K. THOMPSON,

Plaintiff-Appellant,

v.

TED LIMKE; EDWIN KIMMEL,

Defendants-Appellees.

No. 96-6231
(D.C. No. 95-CV-1718)
(Western District of Oklahoma)

ORDER AND JUDGMENT

Before **PORFILIO**, **ANDERSON**, and **BRORBY**, Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

After consideration of the briefs and the record, we conclude the district court did not err in its judgment. We therefore **AFFIRM** substantially for the reasons given by the district court.

ENTERED FOR THE COURT

John C. Porfilio

Circuit Judge